

Silver Spring Citizens Advisory Board
Meeting Summary
April 10, 2006

Members Present: Alan Bowser, Charlotte Coffield, Korey Hartwich, Graciela Jaschek, Phil Olivetti, Victor Salazar, Debbie Spielberg, Mitch Warren, Eric Hensal, Loyce Grigsby, Kathy Stevens, John Evanoff, Mary Pat Spon, Darian Unger, Marilyn Seitz, and Jerry Yokoyama

Members Absent: Victor Weissberg, Mark Woodard

Call to Order and Introduction

Chair Debbie Spielberg called the meeting to order at 7:05 p.m., members and attendees introduced themselves.

Approval of Meeting Summary

Motion: The Silver Spring Citizens Advisory Board unanimously adopted the minutes of the March meeting as amended, change on page 9 from Alan Browser to Alan Bowser and the typo Page 3 second bullet delete the letter y.

Community Comments

- Marcie Stickles announced that the Silver Spring Historical Society Walking Tour will be held on Saturday, May 6th beginning at 10:00 a.m. Reservations are not required and the tour will be conducted rain or shine. For more information contact the Silver Spring Historical Society at 301-537-1253 or email sshistory@yahoo.com
- Bob Colvin distributed the East Silver Spring Citizens Association newsletter dated April 2006 and a Memorandum from Councilmember Silverman to Chairman Berlage regarding the Associations concerns about the type of bricks begin used on Fenton Street in Silver Spring.

County Executive Report:

Paul Folkers reported that:

- Montgomery County Executive Douglas M. Duncan announced that the County, acting as the lead agency for a buying group of 18 jurisdictions and agencies, has signed contracts to purchase electricity that will result in savings of \$24.6 million over the next three years. Duncan also urged lawmakers in Annapolis to pass legislation that would allow local governments to make such cost-saving energy purchases on behalf of their residents, something currently prohibited by State law. Montgomery County plans to apply some of the savings that will be realized from the recent governmental energy contract to double the amount of wind energy the County is purchasing -- from five to ten percent.
- Montgomery County recently has received the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association (GFOA) of the United States and Canada. The County was recognized for its comprehensive annual financial report (CAFR) for the year ending June 30, 2005. The award marks the 36th year – and the 34th consecutive

year – that Montgomery County has received the Certificate of Achievement – more than any other county in the nation. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

- Addressing the increasing death rate among seniors in fires, Montgomery County Executive Douglas M. Duncan signed an Executive Order creating a Senior Citizen Fire Safety Task Force charged with making recommendations to help solve issue of seniors dying in fires. Before an audience of senior public safety activists, Commission on Aging members and Fire and Rescue (DFRS) officials, including Chief Tom Carr, Duncan said, “Any loss of life is tragic, but it is even more so when that death could have been prevented. Prevention and safety first is what this task force is all about.
- Montgomery County Executive Douglas M. Duncan announced that his FY ’07 Operating Budget to be released tomorrow will include nearly \$6 million to fund a series of planning and zoning reforms designed to increase development review and enforcement in the County. Duncan has also named Jennifer Russel as the County’s new Clarksburg Ombudsman, a position designed to break through the bureaucracy and provide the residents of Clarksburg the community they were promised and still deserve.
- Montgomery County Executive Douglas M. Duncan announced a \$2.2 billion education budget that expands all-day kindergarten to every elementary school in the County, increases support for special education students, freezes tuition at Montgomery College and adds school-based health centers and services to more schools in the County. Duncan also announced that he has identified additional revenue to keep some key school construction projects on schedule for completion.
- Montgomery County Executive Douglas M. Duncan unveiled a half-billion dollar public safety budget for the upcoming year that boosts spending by nearly 14 percent and adds nearly 200 public safety positions, new crime-fighting technology, additional vehicles and equipment to help keep the community safe. Duncan made his announcement at the new downtown Silver Spring Fire Station – a multi-use public safety facility that will house firefighters and equipment, the Silver Spring Police Sub-Station and the Silver Spring Urban Crew.
- Montgomery County’s Chief Information Officer Alisoun Moore was recently chosen to receive a Public Technology Institute (PTI) 2005/2006 Technology Leadership Award for fostering an environment of technology innovation in the County while implementing technology programs and practices that improve service delivery and the quality of life in the community.
- Montgomery County Executive Douglas M. Duncan endorsed a resolution introduced this week by the County Council that would establish free parking at County public libraries, at the same time, asking that municipalities do their part to support the policy. Implementing such a policy would require the City of Rockville to provide free parking at the garage it owns and operates that will serve the County’s new Rockville library. The resolution will also require the County to make provisions to prevent Metro commuters from using the limited

number of spaces at the Bethesda library, without charging library patrons for parking.

Q&A Topics

Korey Hartwich asked if Paul Folkers had a response to Mitch Warren question regarding where hybrid buses would go regarding allocation and routes.

Action

Paul Folkers stated he would find out the information on the intent of the hybrid buses and whether they would go into the general community and report at the May meeting.

Korey Hartwich also stated that Paul Folkers had talked about allowing local resident to be aggregated by government in electric utility purchasing what are the changes that the Bill will actually pass.

Paul Folkers responded that we will have to wait and see. There has definitely been new interest since the price increases in the State and there has been renewed interest in the Bill.

Alan Bowser stated that the County Executive has been listed in the newspaper as being supportive of the Birchmere in Silver Spring and some of that report states a deal has been made between the developer, County and another party. How close are they to a deal and is what left to be done really complicated.

Paul Folkers responded that the Department of Economic Development is continuing to work on trying to bring the Birchmere to Silver Spring. The County Executive is certainly interested in seeing this happen. There is not a deal in place now but it continues to be worked on.

Alan Bowser asked if Paul Folkers had seen the article in the paper regarding the controversy in Sligo Park Hills down by Wayne and Dale, Seven Oaks Evanswood about the HOC project at 527 Dale Drive. The Housing Opportunities Commission wants to put in an assistance housing facility next to the Silver Spring International School, the Sligo Creek Elementary School and a Convenience Store that sales beer and wine. Do you know if HOC has a policy for Community notification before they go forward with a project?-

Gary Stith responded that HOC does have a policy for notifying the community and they have had a public information meeting and there will be a public hearing on April 20 so between the two there has been an opportunity for community input and HOC will not make a final decision until after the Public Hearing.

Alan Bowser stated that one of the concerns is that there was not enough led time between the time we found out about the Public Information Meeting and the time the Public Hearing was originally scheduled and the time HOC was going to take a vote on the issue on May 3. We felt collectively as if we where being pushed to a community decision with not a lot of information and because of the way the issue has unfolded there is unhappiness among the community so I am just trying to get clarification.

Eric Hensal asked who the actual bidders on the electric contracts are.

Paul Folkers responded that PEPCO Energy Service was probably the largest. The County has renewed a contract which maintains us at basically 5% of our electricity coming in the form of green energy.

Chairs Report:

Debbie Spielberg reported that:

- Testified before Montgomery County Council on the Operating Budget on April 5 and the testimony is on page 52 of your packet.
- Silver Spring Citizens Advisory Board Retreat is on May 6, will be at the new Police and Fire Station, 8110 Georgia Avenue 3rd Floor in the Roll-Call room and began at 9:00 a.m., lunch will be included. Doug Katz will be our facilitator. I am going to put out on the list serve a general idea about what I envision the goal of the Retreat to be. The main goal from my perspective is that members come out with a sense of what our priorities are for the coming year and that the Retreat will be productive for all members.
- The Board is scheduled to have a social get together on April 23 at Marilyn Seitz's home at 5:00 p.m. and we will e-mail Marilyn's address.

Update on Long Branch Redevelopment

Roylene Roberts, Long Branch Redevelopment Manager gave a briefing presentation on Long Branch Revitalization as follows:

- Montgomery County and several local property owners are working together on the redevelopment of the commercial core of Long Branch. The Urban Land Institute, a nonprofit research and education organization studied the community in 2005 and suggested creating a walkable, inviting area for pedestrians. It would reconfigure restaurants and retail shop so they will be accessible and visible from the road particularly the Giant Food Store.
- The plan focuses on the commercial core of Piney Branch Road, Arliss Street and Flower Avenue also suggests putting residential units above the retail.
- The County has met with the three major property owners and those owners are now meeting privately together and once they have decided how to best work together in a public/private partnership, they will begin.
- We will not be able to move forward on the commercial core development until the private sector is ready to move.
- Other major projects in the neighborhood are the construction of a medical office building at Flower Avenue and Arliss Street, a \$25million project that is estimated to bring 116 to 120 new jobs to the neighborhood. This project is the first multi-million dollar investment the neighborhood has seen in years.
- Officials have been trying to revitalize Long Branch which is a populated Silver Spring neighborhood at the border of Takoma Park and Prince George's County for several years.
- A Federally Qualified Health Center is a center that has been designated that can receive a higher rate of reimbursement for uninsured patients and has nothing to do with the services provided to my knowledge. My understanding is that it will provide a full range of services. I think the Center will be open until 10:00 p.m. and close earlier on Saturday. The Center is not an emergency room and only does outpatients.

- A Task Force was formed in 2002 to examine problems in the neighborhoods and come up with solutions to revitalize the neighborhood. The Task Force presented its final report to the County and some recommendations have already been implemented. *(For precise details please refer to the Long Branch Revitalization presentation handout).*
- Long Branch Earth Day is on April 22 to assist in the clean-up of the Long Branch streambed

Gary Stith reported that:

- The project needs to be approached comprehensively, and needs to address the community needs. This project needs to respond to community and the marketplace and if both of these things are not done the project will not succeed.
- We told the commercial property owners they need to get together and decided how they want to work together and what type of relationship they want to have so we can all work together and make this happen
- The planning funds will not be available until July 1

Q& A Topics

Alan Bowser - What provision have you made toward Community input into all of this as far as what the bridge looks like, where the transit station might be. Do you envision active participation by the community on some of the big decisions?

Roylene Roberts responded that she sent an e-mail to Gary Stith about setting up the first meeting on the bridge. I won't say this will be the first meeting but it is the first sense we have had these consultants on board. In the task force report they stated they had a lot of unfinished business that needed to be carried out by other.

Korey Hartwich - When talking about the connection between the library and community center you mention accessibility but how do you fix a grade as steep as the one there now? Can you talk about the nature of redevelopment of the shops for instance Bestway Supermarket is there now and tends to have a clientele of lower income folks so I am curious on how the new shops are envisioning continuing to meet the needs of the current residents?

Roylene Roberts responded that the distance between the edge of the library parking lot and the edge over by the community center is 350 feet you can go 20 feet at a 5% grade, level off and then go another 20 feet at a 5% grade and the design folks will have to figure that out. The project will meet ADA standards for handicapped access.

Gary Stith responded that when they met with the property owners we told them that one of our objectives is to try and keep as many of the businesses in the area in businesses as possible. Through phasing we should be able to do that by providing them with a location to move into and not go out of business until something is rebuilt. We have talked about how to redevelop the area and still keep some of those businesses in operations. We think we can build more retail space than is there now through more efficient use of the space, additional retail space and the residential. The three major property owners are DiGregorio & Son, Harvey Property Management, and Washington Real Estate Investment Trust.

Alan Bowser asked if the County Liquor Store was staying or going.

Gary Stith stated that some recommendations had been made that would facilitate improvements to that corner. The Liquor Store is a County operation but the building is not.

Darian Unger stated that since this report came out there was also a Minority Report that came out and I am wondering was that an effective outlet or pressure valve for folks that did not like the report, have any of those idea been incorporated or dissipated.

Roylene Roberts stated that the Task Force had 35 members and several of those members submitted a minority report after the final report had been approved by all but one member of the Task Force. There where some areas of the final report that they felt more work needed to be done.

Darian Unger asked what the Community involvement was on the issue and whether Roylene noticed a percentage of the population that did not like this.

Roylene Roberts stated that Sligo Branview Civic Association has some strong concerns about the Washington Adventist Hospital.

Debbie Spielberg stated that part of the ULI proposal addressed apartments across from where you are talking about these property owner are there any plans currently for that and is there a way to include the rental community. I understand what some of the concerns are for redevelopment and as you stated and know it is affordable housing and how you balance that tension.

Roylene Roberts responded that when the County Executive appointed the Advisory Committee he made sure a number of Advisory Committee members are renting in the community.

Alan Bowser stated that Roylene Roberts had mentioned that they where developing a public safety plan for Long Branch. What is the community input into that particular process? I know that Jerry Yokoyama and I where interested in a community policing strategy for the Long Branch area toward the Four Corners, Crossroads area and I would be interested in more information on what you envision for the public safety plan and at some point would hope that you come back with some of your colleagues and help us understand the relationship the County has with CASA de Maryland. I guest they have a special role in community organizing, code enforcement and special influence over there because of some arrangement between the County and CASA de Maryland.

Roylene Roberts stated that CASA de Maryland has contracts with the County to provide services. They are active in several of the apartment complexes which are the Flower Branch and Piney Ridge. Pine Ridge just had a community center opening and they applied through the County to get Community Legacy Funds to support the development of the community center in the apartment complex itself and the property owner, Kay Management was gracious enough to

give them a long term lease on that apartment. We also have agreements with Montgomery Housing Partnership which has a community center in the Greenwood apartments.

Commercial Economic Development

Darian Unger reported that:

- The Farmers Market was a continuation of what we talked about last year when Fresh Farms started managing the Farmers Market and that has led to few different concerns including that some of the farmers who use to come to Silver Spring can't come any more because of additional insurance cost. 6% of farmer's revenues go to Fresh Farms' and management rules mandating that sellers only sell what they produce themselves. So this has had an effect on the farmers who have been historically in Silver Spring. However, Fresh Farms' managed last year and clearly will manage the farmers market this year. The question was is there anything we can do to alleviate the problems that we do see and will the farmers market improve this year under longer term Fresh Farms' management.
- The committee discussed City Place Mall where again we were powerless to act. We probably made a spectacular focus group of ideas for potential improvements for City Place Mall however we can not actually do them. We received interesting historical background on City Place Mall from Marcie Stickle. We learned about some of the severe handicaps the mall has and that it can't harbor a large anchor store with its current size and layout. We were not able to propose an action plan as a result and we would like to meet with owners and management to be able to talk but so far they have been a little shy to talk to us.
- The committee discussed the opening of a new Metro entrance on the southwest corner of Silver Spring station. This may be a more realistic possibility now that there is a new Metro manager, and a draft letter may be proposed in the transportation committee.

Debbie Spielberg stated that on the City Place issue the CED Committee did discuss doing a friendly letter to them about low cost easy suggestions and I am currently in charge of drafting the letter.

Phil Olivetti stated to the Chair and Board that he had a letter for special consideration dated April 10 to Derick Berlage supporting The Ellsworth condominium project located at Ellsworth Drive and Cedar Street and moved that the Board place this letter on the agenda. It was seconded (Seitz). Phil Olivetti explained that the CED Committee met with this developer at there February meeting and recommended a letter but at that time the letter was held because the developer had not met with the community. The CED Committee postponed going forward with the letter until they had received comments from the community. The meeting with the community took place last Thursday night and we received comments back from the Seven Oaks Neighborhood Association today about the presentation and how it went. This issue is on the Planning Boards agenda for April 20th. After a discussion by the Silver Spring Citizens Advisory Board they voted to put the letter expressing support of the proposed Ellsworth Condominium at Ellsworth and Cedar on the agenda (*10, in favor, 3 oppose, 2 abstentions*) ***motion passes***

Phil Olivetti further explained that PFA, the developers of the Town Center Project, were proposing that the parcel of land on Cedar and Ellsworth, which is the last parcel that PFA will

be developing, be built as a four story residential building including 222 condo units, 31 to be designated as MPDU. The project includes underground parking for 260 cars which is more than one to one. This is basically the details of the development. According to the President of Seven Oaks Evanswood, the adjacent neighborhood, there were a couple concerns about the design of the building for this location. She stated that Seven Oaks realized that this project was going forward and Seven Oaks is not taking a position. One comment she did express that seem to have a consensus of people in the audience was there was not sufficient green space landscaping area around the development and they urged the developer to go back and try an add more landscaping and green space to the area around the property. In the 3rd paragraph I added the community concern. **Phil Olivetti moved that the full board consider the letter 2nd (Seitz)**

Several members of the board voiced there concerns about Seven Oaks Community input on the issue and why they had not taken any position. It was suggested that one change be incorporated into the letter by adding the word *green space* in the third paragraph.

Motion: (Sietz, Unger) moved to call to question (12 in favor) to end debate. The Silver Spring Citizens Advisory Board voted that the revision be made and that the letter is sent to Chairman Berlage (10 in favor, 6 opposed) motion passes. (See finalized letter in the informational material section of packet).

The next CED Committee meeting is on April 19, 7:30 p.m., at the Silver Spring Regional Center. We will have a discussion of the Birchmere and an update on the Montgomery Hills Streetscaping Project being done by DHCA.

Neighborhoods Committee

Alan Bowser gave an overview of the last Neighborhood Committee reports follows:

- The Neighborhood Committee met on March 20 and our notes are on pages 25 and 26 of the packet.
- Linda Bird, Manager, Code Enforcement/housing Division/DHCA gave a presentation on Housing Code Enforcement in the Long Branch Area and she described the arrangement the County has with CASA de Maryland
- Carol Jordan, Nurse, Department of Health and Human Services discussed the County's preparation for an avian flu pandemic and while the County is making efforts she was very candid in stating that they expect some problem in case there is a bird flu epidemic in our area.
- The Department of Homeland Security is preparing a community forum on emergency preparedness on Saturday, May 20 at the Montgomery College Health Sciences Building and as I understand it the Department of Homeland Security would welcome the Board to co-sponsor this event

Muriel Bowser stated that at the forum there will be a presentation, panel discussion and information tables. We will be starting with breakfast refreshment from 9:00 a.m. to 9:30 a.m., 9:30 to 11:30 panel discussions and questions and answers.

Motion: (Bowser, Grigsby) that the Silver Spring Citizens Advisory Board agreed to support being a co-sponsor with the Montgomery County Department of Homeland Security for the Emergency Preparedness Forum at the Montgomery College Health Sciences Building. **(15 in favor, 1 abstention), motion passes**

- At the last full Board meeting Roylene Roberts informed us that the County and apartments from the private sector will be having an activity on Earth Day, April 22 to clean-up Long Branch. The Neighborhoods Committee unanimously accepted a resolution which basically stated we believe in clean and healthy communities and we support Earth Day and the efforts the County is doing to clean-up Long Branch and commend people from the private sector, County and non-profits coming together to clean-up the Long Branch streambed. Discovery is going to send sixty people to help clean-up.

Motion: (Bowser, Unger) that the Silver Spring Citizens Advisory Board agreed to support the Resolution commending all the people for the Long Branch Earth Day on April 22 as amended Last six words deleted from 4th WHEREAS and put a period after partnerships. Remove the word priority under ADPOTS. **(15 in favor and 1 abstention) motion passes.**

Next Neighborhood Committee meeting is April 20, at 7:00 p.m. at the Silver Spring Regional Center and we hope to have representatives from South Four Corners Neighborhood Civic Association, the South Silver Spring Community Group, and David Fogel from Gateway.

Transportation/Pedestrian Safety Committee

Debbie Spielberg gave an overview of the last Transportation/Pedestrian Safety Committee Meeting as follows: ***(For the full the March 22 Transportation/Pedestrian Safety Committee Summary refer to the Informational Material Section)***

- Briefing on Traffic and photo enforcement update
- Discussion on red light camera and they are coming to Montgomery County and we are to be kept informed. There will be a request for some sort of citizen participation in determining where the cameras go.
- Discussion of new South Entrance for Metro and at this point there are a lot of question marks and the biggest one is dollars so this is still an ongoing discussion.
- Don Scheuerman, gave a presentation on the new Silver Spring Transit Center and we had a spirited discussion. Concerns were voiced about pedestrian, and bikes etc. There is going to be another discussion presentation this Thursday.

Gary Stith stated that they are offering another public presentation because there seems to be some concerns about the design and I think this is from the difficulties of comprehending the design because it's three dimensional and hard to read so we will have models and more graphics. The consultant will be giving the presentation and it will be at the Fire Station, 8110 Georgia Avenue on the first floor conference room at 7:00 p.m.

- WMATA is holding a public hearing on April 24 at Park and Planning to hear about the transit center and people can attend and give comments.

- Transportation Management District Advisory Committee has vacancies and this Board nominates member to serve on this committee and there are currently two vacancies for SSCAB to nominate.

Gary Stith stated that an announcement has been advertised for the Transportation Management District Advisory Committee and we need a nominating committee formed. I would suggest perhaps members from the SSCAB Transportation/Pedestrian Safety Committee volunteer to be on the nomination committee to do interviews. Closing date for applications is April 21st.

If you are interesting in serving on the nominating committee please contact Debbie Spielberg.

- The process for the Transportation/Pedestrian Safety Chair. Debbie Spielberg stated that she was the interim Chair until a new Chair is chosen and there are two parts to this and that is there needs to be a new Chair and my proposal is that the Transportation/Pedestrian Safety Committee confer and discuss this at there next meeting which is April 26 and recommended someone to be Chair of the committee and that the full board will vote and I would like to recommend this process be used in the further that the Committee effected has a right to nominate but the full Board would vote on it and other are certainly eligible to run for that position. The second part is that we have the vote in June when we elect all of our new officers.

Motion: (Spielberg, Hartwich) that the Silver Spring citizens Advisory Board agreed to the procedure and that the Transportation/Pedestrian Safety Committee offer a name to the full Board of a Board member to be the Chair and have the election at the Board meeting and that anyone else is eligible to run for the position of Chair. *(14 in favor, 1 abstention)* motion passes

Motion: (Spielberg, Stevens) that the Silver Spring citizens Advisory Board agreed that they extent Debbie Spielberg position as Acting Chair for the Transportation/Pedestrian Safety Chair for another month and do all the elections of officers in June. *(11 in favor, 1 abstention)* motion passes.

New Business

Debbie Spielberg

- We have on the agenda election of Secretary. However we don't have enough time for everyone to speak for three minutes and to have questions and answers. Without objections I move that we postpone the election of a Secretary until the May meeting.

Kathy Stevens objected and stated if people are interested in doing the vote without verbal presentation I open that up to the other candidates

Motion: (Spielberg, Grigsby) that the Silver Spring Citizens Advisory Board postpone the election of Secretary for a month. ***Motion fails***

Motion: (Hartwich, Olivetti) that the Board forego oral presentations, questions and answers

Motion fails

Motion: (Bowser, Seitz) the Silver Spring Citizens Advisory Board agreed to hold election of Secretary at the June 2006 meeting ***Motion passes***

Director Report

Gary Stith reported that:

- We received an award of \$175,000 from the Department of Justice for a Weed and Seed Grant for one year. This is a five year program and we got the first year funding for the Northwest Park/Oakview area. Muriel Bowser will be managing this project. I want to give credit to Rusty Wallace who worked very hard to get the designation and put together the application for funding before he left and this is his legacy.

Meeting adjourned at 9:05 p.m.